



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/868,407	06/03/1997	IRWIN GERSZBERG	38-33-29	3444

7590 01/23/2004

Thomas L Evans Esq
Banner & Witcoff Ltd
1001 G Street NW 11th Floor
Washington, DC 20001-4597

EXAMINER

ORGAD, EDAN

ART UNIT PAPER NUMBER

2684

DATE MAILED: 01/23/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/868,407

Applicant(s)

GERSZBERG ET AL.

Examiner

Edan Orgad

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-24 is/are allowed.
- 6) ☒ Claim(s) 1, 6, 25 and 26 is/are rejected.
- 7) ☒ Claim(s) 2-5 and 7-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Widmark et al (US 5,504,804).

Claims 1 & 6, Widmark teaches a method for connecting a call through a telecommunications network, the method comprising the steps of receiving a request for a call at a base station (element 704) from a wireless station (element 701); accessing a database (element 718) at the base station containing dialing instructions for the wireless station for a rapidly-established telephone connection through a public switched telephone network (element 709) to a destination station (element 702); and dialing a call for a rapidly-established telephone connection through the public switched telephone network to the destination station based on the dialing instructions for the wireless station (col. 12, lines 39-45 & col. 12, lines 54-57).

**** the above rejection was sustained by a board decision (see paper #13).***

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2684

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25 & 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widmark et al (US 5,504,804) in view of Buhrmann et al (US 5,593,778).

Regarding claims 25 & 26, Widmark teaches a base station (element 704) connected to a public switched telephone network (element 709), the base station comprising: a transceiver (element 905) receiving a call request (fig. 8, step 801) from a wireless station (element 701); a memory containing a database (element 718), the database containing dialing instructions for the wireless station for a telephone connection through the public switched telephone network to a destination station; and a call processor responsive to the call request by accessing the database and dialing a call for connection through the public switched telephone network to the destination station based on the dialing instructions for the wireless station (col. 12, lines 39-57). However, Widmark fails to specifically disclose the call processor establishing a connection for the call that is time-shared with other wireless stations. However, Buhrmann discloses a method of routing a call from a wireless caller to a destination station with in a PSTN where the wireless caller utilizes a TDMA standard (col. 5, lines 28-35). Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to utilize Buhrmann's time shared method (i.e., TDMA) with Widmark's system in order to enhance the wireless connection already disclosed by Widmark by providing Widmark's with a protocol that works by dividing a radio frequency into time slots and then allocating slots to multiple calls. In this way, a single frequency can support multiple, simultaneous data channels.

Allowable Subject Matter

Claims 2-5 & 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 2 and 7, the prior art of record teaches establishing the rapidly-established telephone connection for the call from the base station to the destination station (Widmark, figure 8, col. 12, lines 39-45 & col. 12, lines 54-57). However, the prior art of record fails to specifically disclose using a predetermined routing path through the public switched telephone network based on the dialing instructions for the wireless station. Where a predetermined routing path, as defined by applicant's specification (page 6, lines 5-10) is defined as a path shared by a plurality of different users on a time sharing basis where specific time periods are scheduled for each user and further maintained after the path established even after user termination signaling.

Claims 11-24 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 11 & 15, the prior art of record teaches a method for connecting a call through a telecommunications network, the method comprising the steps of: receiving a request for a call at a base station from a wireless station; accessing a database at the base station containing dialing instructions for the wireless station for a telephone connection through a public switched telephone network to a destination station; dialing a call for connection through the public switched telephone network to the destination station based on the dialing instructions

Art Unit: 2684

for the wireless station; and establishing a connection for the call from the base station to the destination station (see rejection to claims 1 & 6). However, as stated above in relation to claims 2 & 7, the prior art fails to teach establishing the connection for the call from the base station to the destination using a predetermined routing path through the public switched telephone network based on the dialing instructions for the wireless station, where a predetermined routing path, as defined by applicant's specification (page 6, lines 5-10) is defined as a path shared by a plurality of different users on a time sharing basis where specific time periods are scheduled for each user and further maintained after the path established even after user termination signaling.

Regarding claims 19 & 22, the prior art record specifically Widmark teaches a method and system for connecting a call through a telecommunications network, the method comprising the steps of: receiving a request for a call at a base station (element 704) from a wireless station (element 701 & col. 12, lines 35-39); receiving voice signals when the request for the call is received (although Widmark does not specifically disclose receiving voice signals, it is inherent that voice signals are received when the call is made); accessing a database (element 718) at the base station containing dialing instructions for the wireless station for a telephone connection through a public switched telephone network (element 709) to a destination station (element 702); dialing a call for a connection through the public switched telephone network to the destination station based on the dialing instructions for the wireless station (col. 12, lines 39-57). However, Widmark and other prior art of record fail to specifically disclose, storing the voice signals at the base station into memory and transmitting the stored voice signals to the destination station when the call is connected through the public switched telephone network. In other words, even if the user hangs up prior to call connection between the user and the

Art Unit: 2684

destination station, the base station will store the user's short message and deliver the message once the connection was made. Other prior art of record, like Comella (US 4,054,756) does disclose a method of routing a call in a collect call environment where the network center receives a call request from a caller wanting to make collect call, the network center stores the name of the calling party, places the calling party on hold and contacts the called party and uses the calling's party name which was stored in the network center (col. 2, lines 40-49 & 51-56). In other words, Comella discloses storing voice signals at the network and then transmits the stored voice signals to the destination station (i.e., called party). However, one would not find motivation in combining Comella's collect/toll call routing method with Widmark because neither Widmark nor Comella teach specifically storing voice signals at the network and then transmits the stored voice signals to the destination station in the environment of the present invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,078,804 teaches providing different routing treatments for emergency calls based on subscriber specified data.

Art Unit: 2684

US 5,689,548 teaches an emergency call back using MSC numbers.

US 4,054,756 teaches a method and apparatus for automating special service call handling.

US 5,745,551 teaches a telecommunication apparatus for receiving, storing and forwarding a plurality of voice signals to a wireless network, in response to a control signal.

US 5,555,447 teaches a method for mitigating speech loss in a communication system.

US 4,821,310 teaches a transmission trunked radio system with voice buffering and off-line dialing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 703-305-4223. The examiner can normally be reached on 8:00AM to 5:30PM with every other Friday off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Allen MacDonald

Edan Orgad

Edan Orgad
10/28/03

**ALLEN R. MACDONALD
DIRECTOR
TECHNOLOGY CENTER 2800**